

*Amendments to the Claims*

Please CANCEL Claims 2-14, without prejudice to or disclaimer of the subject matter recited therein.

Please AMEND Claim 1, as follows.

Please ADD Claims 15 and 16, as follows.

1. (Currently Amended) An image forming and reading apparatus comprising:

~~image forming means which form an image on a fed recording sheet; and  
image reading means which read the image of a fed document;  
wherein at least a portion of the feeding path of the recording sheet is  
common to at least a portion of the feeding path of the document, and the image reading  
means can be set to a first position evacuated from the common feeding path and to a  
second position at which the image of the document that is fed through the common  
feeding path is read, and a reading position at which the image is read by the image reading  
means is located downstream of the image forming means in a recording sheet feeding  
direction~~

a recording sheet feeding portion which feeds a recording sheet;

an original feeding portion which feeds an original;

a feeding roller which transports the recording sheet fed by the recording  
sheet feeding portion or the original fed by the original feeding portion;

a movable carriage which carries a recording head for discharging ink to form images on the recording sheet;

a platen for supporting the recording sheet on which images are formed by the recording head;

a reading portion which reads images on the original, the reading portion being rotatable against the platen; and

a cap which caps the recording head at an end portion of a moving range of the carriage,

wherein in a case that images are recorded on the recording sheet by the recording head, the reading portion moves to a first position which is out of a moving range of the carriage, and in a case that images on the originals are read by the reading portion, the carriage moves to a position to cap the recording head and the reading portion moves to a second position which is inside of the moving range of the carriage and not contacting the cap capping the recording head.

2-14. (Cancelled)

15. (New) An image forming apparatus according to claim 1, wherein the reading portion has a white reference to support the recording sheet at the second position and a contact image sensor for reading images of the original, and the original passes between the white reference and the contact image sensor.

16. (New) An image forming apparatus according to claim 15,  
wherein the white reference can rotate to separate from the contact image sensor.